

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-14312 of 2016

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Date of decision:12.7.2016

Kulwant Kaur Saini

.....Petitioner

v.

State of Haryana

.....Respondent

....

(2) Criminal Misc. No.M-15064 of 2016

.....

Satwinder Singh

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Paramjit Singh Sullar, Advocate for the petitioners.

Mr. Vikramjit Singh, Additional Advocate General, Haryana for
the respondent-State.

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Inderjit Singh, J.

This order will dispose of the above mentioned two petitions which have been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.89 dated 28.3.2016 registered for the offences under Sections 406 and 420 IPC at Police Station Ambala City, District Ambala.

Notice of motion has been issued in these cases.

Mr. Vikramjit Singh, learned Additional Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested these petitions.

I have heard learned counsel for the petitioners and learned

Additional Advocate General, Haryana appearing for the respondent-State and have gone through the record.

Learned counsel for the petitioners argued that the petitioners had taken a loan of ₹13,21,000/- from State Bank of India, but later on they stopped paying instalments and it is also the allegations against the petitioners that they had not disclosed that on the same very plot one Ravish Manchanda had also taken loan from the bank prior to the loan of the petitioners. Learned counsel for the petitioners has argued that they have already repaid about ₹20 Lakhs.

The petitioners have already joined the investigation. They are not required for any custodial interrogation. The trial of the case will take long time. The case of the prosecution is based on documentary evidence. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in these petitions and the same are allowed. The interim orders dated 28.4.2016 and 4.5.2016 passed by this Court granting interim bail to the petitioners are made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

July 12, 2016.

(Inderjit Singh)
Judge

hsp